Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

1. (Currently Amended) A process for micronization of a pharmaceutically active agent comprising the steps of:

(a) suspending the pharmaceutically active agent in a gas propellant or in a compressed gas,

(b) processing this suspension by high pressure homogenization, and

(c) obtaining dry powder upon depressurization.

2. (Currently Amended) A process for micronization of a pharmaceutically active agent comprising the steps of:

(a) suspending the pharmaceutically active agent in a gas propellant,

(b) processing this suspension by high pressure homogenization, and

(c) obtaining a suspension of the micronized pharmaceutically active agent in [[a]] the gas propellant.

3. (Previously Presented) The process according to claim 1 wherein the pharmaceutically active agent micronized by said process has an average particle size between about 0.1 and about 7.0 micrometers.

4. (Previously Presented) The process according to claim 1 wherein the pharmaceutically active agent micronized by said process has an average particle size of from about 0.5 to about 5.0 micrometers.

5. (Currently Amended) The process according to claim 1 wherein the suspension formed by the pharmaceutically active agent and the compressed gas or gas propellant comprises one or more pharmaceutically acceptable excipient.

6. (Previously Presented) The process according to claim 1 wherein the pharmaceutically active agent is poorly soluble in water and/or chemically or thermally unstable.

7. (Previously Presented) The process according to claim 1 wherein the pharmaceutically active agent is chosen from at least one of pimecrolimus (33-Epichloro-33-desoxy-ascomycin), 5-[(R)-2-(5,6-diethyl-indan-2-ylamino)-1-hydroxy-ethyl]-8-hydroxy-(1H)-quinolin-2-one, 3-methylthiophene-2-carboxylic acid (6S,9R,10S,11S,13S,16R,17R)- 9-chloro-6-fluoro-11-hydroxy-17-methoxycarbonyl-10,13,16-trimethyl-3-oxo- 6,7,8,9,10,11,12,13,14,15,16,17-dodecahydro-3H-cyclopenta-[α]phenanthren-17-yl ester, N-benzoylstaurosporine, oxcarbazepine, carbamazepine, 1-(2,6-Difluoro- benzyl)-1H-[1,2,3]triazole-4-carboxylic acid amide, cox-2 inhibitors, pyrimidylalaminobenzamides, camptothecin derivatives, proteins, peptides, vitamins, steroids, bronchodilators.

8. (Previously Presented) The process according to claim 1 wherein the compressed gas is chosen from at least one of carbon dioxide, nitrogen, dimethyl ether, ethane, propane and butane.

9. (Previously Presented) The process according to claim 1 wherein the compressed gas is an HFA propellant qualified for human use.

10. (Previously Presented) The process according to claim 1 wherein the compressed gas is chosen from at least one of HFA134a and HFA227.

11. (Original) The process according to claim 5 wherein the pharmaceutically active excipient is chosen from at least one of surfactant, carrier and lubricant.

12. (Currently Amended) The process according to claim 11 wherein the surfactant is chosen from at least one of acetylated monoglycerides, perfluorocarboxylic~~perfluorocarboxilic~~ acid, polyethylene glycol (PEG) sterol esters, polyethylene oxide sorbitan fatty acid esters, sorbitan esters, sorbitan mono laureate, sorbitan mono oleate, sorbitan tri oleate, sorbitan mono palmitate, propylene glycol and oleic acid.

13. (Currently Amended) The process according to claim 1 wherein the suspension of the pharmaceutically active agent in a gas propellant or compressed gas is processed by homogenization using static geometries.

14. (Currently Amended) The process according to claim 1 wherein the suspension of the pharmaceutically active agent in a gas propellant or compressed gas is processed by homogenization using a dynamic valve.

15. (Currently Amended) The process according to claim 1 wherein the suspension of the pharmaceutically active agent and the compressed gas or gas propellant is formed in a first stirred vessel and stored in a second stirred vessel after the micronization process.

16. (Previously Presented) A micronized pharmaceutically active agent obtained by the process of claim 1.

17. (Currently Amended) A pharmaceutical composition comprising the micronized pharmaceutically active agent ~~obtained by the process~~ of claim 16 and pharmaceutically acceptable excipients.

18. (Original) A package comprising a composition according to claim 17 and instructions to use.

19. (Previously Presented) A process according to claim 1 wherein said micronized pharmaceutically active agent is prepared in situ in an inhalation device.

20-21. (Canceled)

22. (Currently Amended) An apparatus for micronization of a pharmaceutically active agent comprising

two stirred pressure vessels,

a high pressure homogenizer~~homogenizier~~,

a fluid conduit interconnecting the stirred pressure vessels and the high pressure homogenizer.